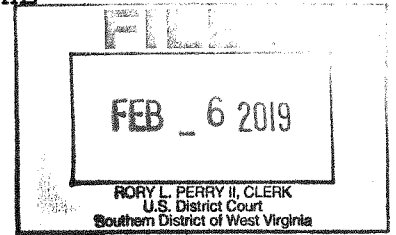


UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON GRAND JURY 2018-1
FEBRUARY 5, 2019 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO.

2:19-00037

21 U.S.C. § 841(a)(1)

18 U.S.C. § 924(c)(1)(A)

D'ALFONZA V. MIKELL

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

(Possession with Intent to Distribute
Methamphetamine and Heroin)

On or about January 10, 2019, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant D'ALFONZA V. MIKELL knowingly and intentionally possessed with intent to distribute a quantities of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, and heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

(Carrying a Firearm During a Drug Trafficking Crime)

On or about January 10, 2019, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant D'ALFONZA V. MIKELL knowingly use and carry a firearm, that is, a Smith & Wesson SW40VE, .40 caliber pistol, during and in relation to a drug trafficking crime for which defendant may be prosecuted in a court of the United States, that is, possession with intent to distribute quantities of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, and heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT THREE
(Felon in Possession of Firearm)

1. On or about January 10, 2019, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant D'ALFONZA V. MIKELL did knowingly possess a firearm, that is, a Smith & Wesson SW40VE, .40 caliber pistol, in and affecting interstate commerce.

2. At the time defendant D'ALFONZA V. MIKELL possessed the aforesaid firearm, he had been convicted of a crime punishable by imprisonment for a term exceeding one year, as defined in 18 U.S.C. § 921(a)(20), that is, convicted on or about February 19, 2013, in Franklin County, Ohio, of Burglary Without Specification, in violation of Section 2911.12 of the Ohio Revised Code.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

NOTICE OF FORFEITURE

1. The allegations contained in Counts One, Two, and Three of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 28 U.S.C. § 2461(c), 18 U.S.C. § 924(d)(1), and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

2. In accordance with 28 U.S.C. § 2461(c), 18 U.S.C. § 924(d)(1), and Rule 32.2(a) of the Federal Rules of Criminal Procedure and premised upon the conviction of defendant D'ALFONZA V. MIKELL of a violation of 21 U.S.C. § 841(a)(1), 18 U.S.C. §§ 924(c)(1)(A), 922(g)(1) and 924(a)(2) as set forth in this Indictment, defendant D'ALFONZA V. MIKELL shall forfeit to the United States the firearm involved in or used in such firearm offenses, including, but not limited to, the following:

a. a Smith & Wesson SW40VE, .40 caliber pistol, serial number PDC4936,
seized by police on or about January 10, 2019.

MICHAEL B. STUART
United States Attorney

By:


L. ALEXANDER HAMNER
Assistant United States Attorney